

**Further Review of the Limited English Proficiency (LEP)  
Adjustment in the Essential Programs and Services  
Funding Formula**

**Report to  
The Joint Standing Committee on Education and Cultural Affairs  
Maine State Legislature**

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In 2005-06, Essential programs and Services (EPS), a new school funding formula, was implemented in Maine, EPS was designed to insure all schools have the programs and services that are essential if all students are to have equitable opportunities to achieve the Maine Learning Results. In establishing EPS, explicit recognition was given to the relationship between equitable opportunities and resources for children with specialized needs, such as Limited English Proficiency students (LEP). These children may, and in most cases do, require additional resources to attain equitable opportunities to learn. Prior to the EPS funding model, only a small amount of additional funding was set aside for the support of LEP students. Embedded in the goal of the EPS funding model is the assurance that the state provides adequate resources to meet the educational achievement goals of the student populations within any given school administration unit (SAU) and an equitable distribution across school administration units of those adequate resources. Thus, SAUs are given additional resources for LEP students under the EPS model.

To determine if the EPS components are reflecting current costs, different components of the EPS funding model are scheduled for review on a three year cycle, according to statutory requirements. The Maine Education Policy Research Institute (MEPRI) has conducted prior reviews and has conducted the analysis reported in subsequent pages. In the case of the LEP component, additional funds are allocated to different clusters of students through the use of a weighting system. According to Gold, Smith and Lawton (1995):

Weighting procedures, in effect, adjust the pupil count to provide a better reflection of a school district's educational need...Weights are assigned in relation to the costs of educating the "regular" school pupil. The "regular" pupil is given a weight of one (1.0). Other pupil populations are given weights relative to the "regular" pupil weight of 1.0 to reflect the additional cost of educating these pupils. For example, if a particular category of student has a weight of 1.5, that implies that it costs 1.5 times as much to educate that student as it does the "regular" student (p.25).

The Maine LEP cost model, which calculates the additional costs for LEP children, was last reviewed in 2007 – 2008 to establish current LEP funding weightings. This analysis was

presented to the Education Committee in January 2008. In Committee deliberations of this analysis, some committee members raised a number of questions, largely centered around the concern that the LEP weights may not be providing equitable distribution of adequate resources across school administration units, namely in larger districts with large populations of LEP students. Accordingly, the Education Committee requested an additional review of the LEP component. More specifically, the committee requested:

1. A review of funding strategies used by other states to support LEP students; and
2. A further review of Maine evidence.

This report presents the results of these reviews and some additional findings from a secondary review of the evidence.

### ***State LEP Funding Policies***

Looking nationally at current LEP policy, all but six states have established Limited English Proficiency state funding policy. The remaining 44 states have established methods of LEP funding allocation based one of three models, pupil weighting, flat grants, and resources based. Table 1 shows the distribution of states currently implementing one of the four above mentioned LEP funding methodology policies for state LEP funding allocations. For a state by state description of national state LEP funding please see Table A in the appendix.

<b>Table 1. National State LEP Funding Policy</b>		
<b>LEP State Funding Policy</b>	<b>Number of States (%)</b>	<b>Range</b>
Pupil Weighting	22 (44%)	0.096 – 1.53
Flat Grant	12 (24%)	\$20 - \$1,000
Resource Based/Other	9 (18%)	Varies
None	6 (12%)	0

\*LEP state funding information could not be found for Arizona.

Pupil weighting increases the amount of aid a school district receives for LEP students by increasing the base funding amount. For example if a state has a LEP weighting of 0.2, and a base amount of \$4,000 per pupil, then the base is increased by 20% more, ( $(\$4,000 + (\$4,000 \times 20\%)) = \$4,000 + \$800 = \$4,800$ ). The advantage of a pupil weight is that it responds to changes in the base and the weight will also respond to changes in LEP counting. The additional amount of LEP state aid based on pupil weights may vary within a state if state base amounts vary by

district. Twenty-one states, inclusive of Maine, have chosen to implement an LEP pupil weighting. LEP pupil weighting nationally varies from 0.096 to 1.53.

Flat LEP grants are provided by eighteen states. Flat grants are an annual additional per pupil amount of state aid given on the basis of classification as LEP. Flat grant amounts range from approximately \$20 to \$1000 per LEP pupil. Flat grants are isolated from fluctuations due to changes in state base per pupil amounts but not differences in counting. Both pupil weights and flat grants may have conditional terms associated with the policy, such as required levels of proficiency, maximum years of funding, funding limited to specific grades, or varying levels of support due to size of LEP population within a district.

Resource based LEP funding policy provides funding for either a portion of the material resources needed to provide LEP instruction or provide funding for LEP instructional staff based on the number of LEP pupils. For example, Tennessee has a resource based LEP funding policy that provides for 70% of one ELL instructor per 30 LEP pupils and one translator per 300 LEPs.

For the six states that have no additional state LEP funding allocation, three main reasons were given to support their LEP policy choice: (1). Current baseline state funding is formulated to adequately address the needs of LEP pupils with or without additional adjustments (economically disadvantaged, special education, urban/rural, etc); (2). Current baseline state funding is formulated to adequately address the needs of LEP pupils and if additional funds were needed school administrative units could apply for federal funds for LEP pupils under Title III; (3). The number of LEP pupils was considered low in proportion to the general population and therefore not considered for a state-wide policy currently.

For the present review, a comparison was done to evaluate the cost that would be incurred for Maine if it were to adopt another state's LEP funding model. Table 2 shows the

<b>Table 2. Maine LEP amounts based on adopting other state's LEP funding policy</b>				
		<b>Maine LEP Pupils 2008</b>	<b>Maine Average EPS Rate 2008</b>	<b>LEP Amount</b>
LEP Funding		4,033	\$6,021	
Pupil Weighting	Lowest: 0.096	4,033	\$6,021	\$2,331,139
	Highest: 1.53	4,033	\$6,021	\$37,152,520
Flat Funding	Lowest: \$20	4,033		\$80,660
	Highest: \$1,000	4,033		\$4,033,000
None	0	4,033	\$6,021	\$0

results of this comparison. In the fiscal year 2007 – 2008 there were 4,033 LEP students in Maine and the average EPS rate was approximately \$6,021. The total allocation in support of LEP children was \$12,912,960. If weights used in other states were applied in Maine, the LEP allocation would be between \$2,331,139 and \$37,152,520. Compared with the flat funding minimum and maximum amounts, the range in allocation for Maine would be between \$80,660 and \$4,033,000.

It appears Maine LEP funding policy is in keeping with the majority of other states that apply a pupil weight to their LEP population. Maine’s LEP pupil weights (0.5 – 0.7) are within the range of national LEP weights and when converting Maine’s LEP weights to a dollar amount, Maine’s LEP additional per pupil allocations are greater than the national flat funded amount and weights in most other states.

***Current Evidence in Maine***

Turning to the additional analysis of Maine data, in 2007-08 Maine had 4,033 LEP students. While this number represents only 2% of the resident enrollment in a large geographic region, it has been noted that many LEP students generally have compounding circumstances, such as poverty that greatly impede their ability to reach their academic potential. Table 3 provides descriptive statistics on LEP Enrollment by LEP size category across the state for 2007 - 08. Based on an analysis of groups of students and differences in cost, the numbers of LEP students in districts have been clustered into three groups, 1 – 15 students, 16 – 250 students, over 250 students.

<b>Table 3. Descriptive Statistics from the 2007 - 08 LEP Enrollment Data</b>				
	<b>LEP Enrollment Categories</b>			
	<b>1 – 15</b>	<b>16 – 250</b>	<b>251+</b>	<b>Statewide</b>
Number of Districts	87	27	2	116
Total Number of LEP Students	412 (10%)	1538 (38%)	2083 (52%)	4033 (100%)
Number of Unique Languages	33	70	50	91
Range of SAU Unique Languages	(1 - 9)	(1 – 30)	(17 – 46)	(1 – 46)

As reported in the table, a total of 116 of the 290 SAUs within the state have at least one LEP child. Of those 116 SAUs, 87 SAUs (75% of the districts with LEPs) have between 1 - 15 LEP students. However, the number of LEP students represented by these districts is only 10% of the total LEP population. The two SAUs, Lewiston and Portland, that are categorized as

having more than 250 LEP students, have 52% of the state LEP population. There is a statewide total of 91 unique languages LEP students speak as their primary language and individual SAUs have a range of 1 – 46 unique languages that they must communicate with. Table B in the appendix lists unique languages by school district LEP enrollment size.

Out of the 116 SAUs that reported having LEP students in 2007 – 08, only 68 had LEP expenditures in 2007 - 08 as reported to the Maine Department of Education at the time of this report. Table C in the appendix lists in alphabetical order the 68 SAUs with their 2007 - 08 LEP student counts and per pupil expenditures. Also in the appendix, Tables D identifies the SAUs with reported LEP enrollment but no reported LEP expenditures at the time of this report; and Table E identifies SAUs with reported LEP expenditures in 2007 - 08 but no reported LEP students.

In Maine, the LEP weights are calculated by dividing school administrative units into three groups based on the number of LEP students served, and comparing group two year average LEP per pupil costs to state two year average per pupil operating costs, excluding transportation and debt services. To be included in the cost analysis, SAUs must have two consecutive years (e.g. 2006 - 07 & 2007 - 08) of valid LEP enrollment and LEP expenditure data to be included in the LEP weight matrix analysis. The reasons for requiring two years of data are two-fold: One, to smooth out expenditure fluctuations that may occur from one year to the next, and two, guarantee that the SAUs have established LEP programs, and not just start-up LEP programs. Table 4 shows the progression of inclusion from the 116 SAUS with LEP enrollment in 2007 – 08 to the 50 SAUs with LEP enrollment and expenditure data for 2006 – 07 and 2007 – 08 that were included in the analysis.

<b>Table 4. Number of SAUs Included by Data Source</b>	
<b>Data Source</b>	<b>SAUs Included</b>
LEP Enrollment 2007-08 Only	116
LEP Enrollment & Expenditure 2007-08	68
LEP Enrollment & Expenditure 2006-07 and 2007-08	50

Table 5 below gives descriptive statistics on the LEP expenditure by LEP enrollment size for the 50 SAUs from 2007-08 that meet the requirement of two consecutive years of data.

Please see Table E in the appendix for a complete listing of SAUs with LEP counts and per pupil LEP expenditure included in the analysis.

<b>Table 5. Descriptive Statistics from the 2007 - 08 LEP Expenditure Data</b>				
<b>Characteristics</b>	<b>LEP Enrollment Categories</b>			<b>Statewide</b>
	<b>1 – 15</b>	<b>16 – 250</b>	<b>251+</b>	
<b>Number of Districts</b>	28	20	2	50
<b>Total Number of LEP Students</b>	174	1049	2083	3306
<b>Total LEP Expenditure</b>	\$708,027	\$2,238,803	\$5,273,745	\$8,220,575
<b>Average Per pupil Total LEP Expenditure</b>	\$3,943	\$2,517	\$2,493	\$3,315
<b>Range of SAU Per pupil Total LEP Expenditure</b>	(\$25 - \$9,235)	(\$2 – \$5,416)	(\$2,403 – \$2,583)	(\$2 – \$9,235)

Twenty-eight of the SAUs categorized with 1 – 15 LEP students in 2007- 08 were included in the study analysis. This group, as it is currently represented, has the highest average per pupil LEP total expenditure (\$3,943). The LEP enrollment category of 16 – 250 retained most of their SAUs in the analysis, though a third of their LEP students were in SAUs not represented due to missing expenditure data. Both SAUs in the largest LEP enrollment category were retained and had similar per pupil LEP total expenditure with the 16 - 250 LEP enrollment category. The LEP expenditure for the 50 SAUs was then divided into major expenditure components. Table 6 illustrates the LEP expenditure for 2007 - 08 by major component. Across the state approximately 97% of all LEP expenditure is associated with salaries, benefits, and contracted services. The smallest LEP category had the smallest proportion of their total expenditure going to teacher salaries and benefits, and utilized more tutors and contracted services than other LEP enrollment size categories. SAUs with 16 -250 LEP students spent approximately 74% of their total LEP expenditure on teacher salaries and an additional 20% on ed techs, which is slightly more than the largest LEP category. The largest LEP category had most their expenditures in teacher and educational tech salaries and benefits; however they did also utilize tutors and contracted services for LEP but to a much smaller degree.

<b>Table 6. LEP Expenditure Data by component, 2007 - 08</b>				
	<b>LEP Enrollment Categories</b>			
	<b>1 – 15</b>	<b>16 – 250</b>	<b>251+</b>	<b>Statewide</b>
<b>Total LEP Expenditure</b>	<b>\$708,027</b>	<b>\$2,238,803</b>	<b>\$5,273,745</b>	<b>\$8,220,575</b>
<b>Percent LEP Expenditure Teacher Salary &amp; Benefits</b>	63.3%	73.9%	72.8%	72.2%
<b>Percent LEP Expenditure Ed Tech Salary &amp; Benefits</b>	16.2%	19.7%	14.7%	16.2%
<b>Percent LEP Expenditure Tutors Salary &amp; Benefits</b>	13.2%	4.2%	1.4%	3.1%
<b>Percent LEP Expenditure Contracted Services</b>	4.4%	0.1%	1.1%	1.1%
<b>Percent LEP Expenditure - Other</b>	2.9%	2.1%	2.8%	2.6%

The EPS model utilizes a weighting system to calculate the additional costs for LEP children. The LEP weights are calculated by dividing SAUs into three groups based on the number of students in the LEP program. The LEP enrollment groups used are 1-15, 16-250, and 251+. Next, average per-LEP-pupil expenses are calculated for each LEP size group. Each group average is the simple average of SAU per-LEP-pupil cost over two years. The LEP weight for each group is then calculated as the groups average per-LEP-pupil expenses divided by the state average per-pupil operating cost, excluding transportation and debt services for the two years. Based on the analysis of actual LEP related cost, a weighting matrix was developed for the three different LEP enrollment groups found in Maine’s school administrative units.

The weighted adjustment incorporated into the Maine funding formula in 2005-06 appears in Table 7. As may be seen from the table, SAUs with 1 - 15 LEP students spent approximately 50% more than the state average per pupil expenditure for their LEP students. Those with 16 - 249 LEP students spent 30% more than the state per pupil average and those with 250 or more LEP students spent 60% more than the state average.



<b>Table 7: EPS Weight Matrix for LEP Children</b>				
<b>LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Per-Pupil LEP Cost by LEP Pupil Count</b>			<b>Per-Pupil Operating Cost</b>
	<b>1 - 15</b>	<b>16 – 249</b>	<b>250+</b>	
<b>2000-01</b>	\$3,062	\$1,531	\$2,762	<b>\$5,164</b>
<b>2001-02</b>	\$2,941	\$1,707	3,863	<b>\$5,473</b>
<b>2-year</b>	\$2,800	\$1,607	\$3,311	<b>\$5,319</b>
<b>LEP Weight (Current)</b>	<b>0.5</b>	<b>0.3</b>	<b>0.6</b>	

In fall 2007, the LEP adjustment was reviewed according to statutory requirements. The Maine Education Policy Research Institute (MEPRI) conducted this analysis using the same methodology as in the previous LEP analysis, and the most recent two-year data available, the 2005-06 and 2006-07 SAU expenditures for LEP. The updated analysis resulted in a new weighting matrix as shown in Table 8. The actual weight had increased for the two lower LEP student categories, and decreased for the largest category.

<b>Table 8: 2007-08 Analysis - EPS Weight Matrix for LEP Children</b>				
<b>LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Per-Pupil LEP Cost by LEP Pupil Count</b>			<b>Per-Pupil Operating Cost</b>
	<b>1 – 15</b>	<b>16 – 249</b>	<b>250+</b>	
<b>2005-06</b>	\$7,891	\$4,884	\$2,242	<b>\$8,253</b>
<b>2006-07</b>	\$5,295	\$4,191	\$1,942	<b>\$8,213</b>
<b>2-year</b>	\$5,803	\$4,062	\$2,092	<b>\$8,233</b>
<b>LEP Weight (Update)</b>	<b>0.7</b>	<b>0.5</b>	<b>0.3</b>	

In reviewing these updated weights, some of the Solution Committee members raised concern about the adequacy of the weights. More specifically, the decrease in the weight for the largest category was questioned by the two constituent SAUs, the Lewiston and Portland school

districts. In the case of Lewiston, it was the first time the Lewiston school district had been categorized within the largest LEP enrollment category and expressed concerns that even though they enjoy the benefits of economy of scales, they had crossed a threshold in that due to the increase in their LEP population and increase diversity of LEP population, it was more expensive to acquire the resources necessary to educate their LEP population. Portland has always been categorized as having a large LEP population and similarly expressed concerns that due to the size and diversity of their LEP population additional LEP funds were needed. After considerable discussion and debate, the Education Committee reached consensus that for the school year 2008 – 09 the weighting would be 0.525 for the largest LEP population category. Further, it was requested that MEPRI rerun the LEP weight matrix analysis in fall 2008 with an additional year of data, 2007-08, to see what impact the additional year of data may have on the weights of each category, and what changes occur when outlier data is removed from the analysis. Table F in the appendix lists the 50 SAUs included in this analysis with LEP student counts and LEP per pupil expenditure.

The re-analysis resulted in a new weighting matrix as shown in Table 9. As may be seen in the table, the weights for the smallest two LEP enrollment categories have decreased and the largest category which includes both Lewiston and Portland has remained consistent at the 0.3 level.

<b>Table 9: 2008-09 Analysis - EPS Weight Matrix for LEP Children</b>				
<b>LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Per-Pupil LEP Cost by LEP Pupil Count</b>			<b>Per-Pupil Operating Cost</b>
	<b>1 – 15</b>	<b>16 – 249</b>	<b>250+</b>	
<b>2006-07</b>	\$6,055	\$3,258	\$1,942	<b>\$8,213</b>
<b>2007-08</b>	\$3,943	\$2,517	\$2,493	<b>\$9,330</b>
<b>2-year</b>	\$4,999	\$2,887	\$2,218	<b>\$8,771</b>
<b>LEP Weight</b>	<b>0.6</b>	<b>0.3</b>	<b>0.3</b>	

Further analysis was done by removing outliers from the data for 2006 – 07 and 2007 – 08 data. An outlier was defined as an SAU from the initial 50 in the above analysis that had a two year LEP per pupil expenditure at least one standard deviation above the average (\$4,043) of all the two year LEP per pupil averages. Table 10 shows LEP weights with outliers removed. Seven of the original 50 SAUs were excluded when outliers were removed. All seven SAUs

were in the lowest size category of LEPs and thus only the weight for the lowest category changed and decreased from 0.6 to 0.4.

<b>Table 10: 2008-09 Analysis - EPS Weight Matrix for LEP Children with Outliers Removed</b>				
<b>LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Per-Pupil LEP Cost by LEP Pupil Count</b>			<b>Per-Pupil Operating Cost</b>
	<b>1 – 15</b>	<b>16 – 249</b>	<b>250+</b>	
<b>2006-07</b>	\$4,039	\$3,258	\$1,942	<b>\$8,213</b>
<b>2007-08</b>	\$3,049	\$2,517	\$2,493	<b>\$9,330</b>
<b>2-year</b>	\$3,544	\$2,887	\$2,218	<b>\$8,771</b>
<b>LEP Weight</b>	<b>0.4</b>	<b>0.3</b>	<b>0.3</b>	

An additional analysis was done to look at the Lewiston and Portland school districts independently. Their actual per pupil LEP costs for the two years were compared to their actual per pupil operating costs, excluding transportation and debt services. Tables 11 and 12 show the results of that analysis. In the case of Portland, LEP per pupil expenditure is consistent from year to year and fairly consistent proportionally to Portland actual per pupil operating expenditure. The resulting weights range from approximately 0.24 to 0.25.

<b>Table 11. Portland LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Portland Actual LEP PP</b>	<b>State Per-Pupil Operating Cost</b>	<b>Portland Per-Pupil Operating Cost</b>	<b>Portland Yearly LEP Weight (Portland Operating)</b>
<b>2006-07</b>	\$2,251	<b>\$8,213</b>	\$9,488	<b>0.237</b>
<b>2007-08</b>	\$2,583	<b>\$9,330</b>	\$10,282	<b>0.251</b>
<b>2-year</b>	\$2,417	<b>\$8,771</b>	\$9,885	<b>0.245</b>

<b>Table 12. Lewiston LEP Actual Per Pupil Expenditure Weights</b>				
	<b>Lewiston Actual LEP PP</b>	<b>State Per-Pupil Operating Cost</b>	<b>Lewiston Per-Pupil Operating Cost</b>	<b>Lewiston Yearly LEP Weight (Lewiston Operating)</b>
<b>2006-07</b>	\$1,634	<b>\$8,213</b>	\$8,228	<b>0.199</b>
<b>2007-08</b>	\$2,403	<b>\$9,330</b>	\$8,401	<b>0.286</b>
<b>2-year</b>	\$2,018	<b>\$8,771</b>	\$8,315	<b>0.243</b>

For the Lewiston school district, it has increased its LEP per pupil expenditure by almost \$800 and also increased its yearly LEP weight considerably in comparison to its actual per pupil operating expenditures. In comparing both their weights to one another, the two year average yearly LEP weights are similar and their LEP weights in comparison to per pupil state operating expenditure are fairly similar but are below the LEP weighting above 0.3.

### ***Additional Analysis***

The additional analyses undertaken in this review re-surfaced three issues noted in earlier reviews of the LEP component. First, a comparison of SAU data revealed considerable variance in SAU costs, even when comparing two or more SAUs with the same or similar numbers of LEP children and languages. Some examples appear in Table 13. As may be seen for the table, some SAUs are spending considerably more than others for the same number of LEP children.

<b>Table 13: Examples of Differences in ELL Expenditures</b>		
<b>District</b>	<b>No. of 2007-08 LEP Students</b>	<b>2007-08 LEP Expenditures</b>
Hope	1	\$9,045
MSAD 56	1	\$3,847
MSAD 47	1	\$1,534
Yarmouth	3	\$5,469
Millinocket	3	\$341
Windham	16	\$9,183
Cape Elizabeth	15	\$4,537
Scarborough	56	\$3,392
Brunswick	60	\$1,800

Second, although some of the differences in SAU expenditures may be attributable to differences in LEP needs, an analysis of expenditures yielded what appear to be differences in program staffing approaches among some SAUs, as shown in Table 14. For example, Hope provided staffing for its 1 LEP child through \$9,045 in salaries and benefits for education technicians, while MSAD 56 provided programming for its 1 LEP child through \$3,847 in teacher salaries and benefits. In the case of Brunswick (LEP = 15 students), the program costs are associated with teacher salaries and benefits and education technician salaries and benefits, while program costs for Windham (LEP = 16 students) are for teacher salaries and benefits, education technician salaries and benefits, and tutor salaries and benefits.

<b>Table 14: Examples of How SAUs Use LEP Expenditures</b>						
<b>District</b>	<b>No. 2007-08 LEP Pupils</b>	<b>2007-08 LEP Per Pupil Expenditures</b>	<b>Percent of Expenditures</b>			
			<b>Teacher Salary &amp; Benefits</b>	<b>Ed Tech Salary &amp; Benefits</b>	<b>Tutor Salary &amp; Benefits</b>	<b>Contracted Services</b>
Hope	1	\$9,045	-	100%	-	-
MSAD 56	1	\$3,847	100%	-	-	-
Yarmouth	3	\$5,469	-	-	-	100%
Millinocket	3	\$341	-	-	-	100%
Windham	16	\$9,183	87.8%	9.7%	2.5%	-
Brunswick	15	\$1,800	54.3%	45.7%	-	-

Third, a review of Maine Department of Education (MDOE) rules and regulations for approving LEP costs revealed the State does not have any recommended guidelines for staffing and providing services in effective LEP programs. For example, there are no guidelines for appropriated teacher-student and teacher aide-student ratios in LEP programs. SAUs submit LEP expenditures for LEP programs and services, and the State approves all costs associated with providing LEP programming. Furthermore, the LEP adjustment in the essential programs and services formula is not targeted. That is to say, SAUs are not required to spend the adjustment subsidies on LEP programs and strategies.

## ***Recommendations***

Based on this review of evidence, the following recommendations are made to the joint standing committee of education and cultural affairs of the state legislature, with regard to the LEP weighting component:

**Recommendation 1:** The current EPS established allocations be maintained for 2009-10.

**Recommendation 2:** Statewide guidelines for delivery of LEP services should be established.

**Recommendation 3:** Consideration should be given to targeting the LEP component.

These recommendations are offered for several reasons. First, in recognition of the fact that GPA for education may be level-funded for the next biennial budget, it may be most prudent not to make any adjustments to current EPS allocations. Second, because the State is still ramping up to providing 55% of the cost of education, the local communities may need the additional allocations to have a better opportunity to achieve the level of programming needed to meet the Learning Results. Third, as of the date of this review, several SAUs have not submitted their required financial information to the Maine Department of Education, resulting in this review not including information on all of SAUs. Finally, the joint standing committee on education and cultural affairs is considering a review of the school funding formula, which it may result in future modifications in EPS components.

It is also recommended that greater consideration be given to converting the LEP component to a targeted status. This would provide greater assurance that SAUs were targeting their LEP allocation to programs and services for their LEP students.

## **ADDITIONAL NOTES**

It should be noted that the current LEP weighting expenditure model under-estimates from the smallest group to the second largest group. The under-estimation in the LEP model is due to the classification of districts by LEP pupil size into clusters and continuity of the LEP size groups across time. The weight assigned to SAUs with just enough students to classify them within the second category is less than the weight and allocation amount for the maximum amount of LEP pupils in the smallest category. It was necessary to create an additional adjustment for districts in 2007 - 08 with 16 - 21 LEP so that they received the weighting of the smallest group and did not lose allocation for being just larger than the largest small category of LEP pupil size. Based on the re-analysis for 2008 – 09, the correction was made for districts with 16 – 30 LEP pupils.

## References

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## ***APPENDIX***

<b>Table A. National State LEP Funding Policies</b>			
<b>State</b>	<b>Funding Program</b>	<b>Allocation/Weight</b>	<b>Conditions</b>
Alabama (FY 2008)	Flat Grant	\$279/ELL	none
Alaska	Weight	0.2	Weight applied to the entire district population that shows a plan for special needs services provided.
Arizona***			***ELL funding currently under litigation
Arkansas (FY08 & 09)	Flat Grant	\$293/ELL	none
California (FY 2008)	Flat Grant	\$100/ELL	Pupils in grades 4-8 only
Colorado (FY2008)	Flat Grant	A/B ELL: \$181.53 C ELL: \$16.63	A school district may receive funding based on three classifications of eligible students: A, B, and C. Category A students speak languages other than English and do not comprehend or speak English. Category B students comprehend or speak some English, but their predominant comprehension or speech is in a language other than English. Category C students have dominant languages which are difficult to determine as they comprehend and speak English and at least one other language. For each eligible student in each district, the Act provides funding for a maximum of two years.
Connecticut (FY2007-08)	Flat Grant	\$115/ELL	For districts with greater than or equal to 20 ELLs
Delaware (FY 2009)	Flat Grant	\$241/ELL Total FY 09 Allocation for ELL is \$1,625,000	Allocation changes each year
Florida (FY 2008)	Weighting	0.20	
Georgia (FY 2009)	Weighting	1.5306	2.5306 times base
Hawaii (FY2008-09)	Weighting	Non proficient = 0.362 Limited Proficiency = 0.181 Fully Proficient = 0.060	By Proficiency
Idaho (FY 2008)	Flat Grant	\$300/ELL	Number of LEP 18,200 which is a decrease from 23,000 (FY 2007), due to clarification of classification.
Illinois (FY2008-09)	Competitive Grant	TBE: Must be ELL and if K-8 a) with 5 -	Transitional Bilingual Education(Large pop of ELL with same language)/Transitional

		<p>10 periods of instruction = \$304 /ELL  B) 10 + periods = \$607/ELL  if HS a) with 5 -10 periods of instruction = \$380 /ELL  B) 10 + periods = \$759/ELL  PreK &amp; K 5 + periods = \$607/ELL;  TPI: 5-10 periods = \$354/ELL  &amp; 10+ periods = \$707</p>	<p>Programs of Instruction (Less ELL pop and or small numbers in multiple languages) – Mandated Program appropriation from General in FY 2009 \$73 million  1 period = 30 minutes</p>
Indiana (FY2009)	Flat Grant	\$200/ ELL	
Iowa	Weighting	Weight not specified	For three years
Kansas (FY2007-08)	Weighting	0.395	none
Kentucky (FY2008-2010)	Weighting	Guaranteed Base x 0.096 x Number of LEP students = LEP Funding	In the 2008-2010 Commonwealth of Kentucky budget the guaranteed base was set at \$3866 per pupil. The factor of 9.6 % was also set during the budget (2006-2008).
Louisiana (FY2007-08)	Weighting	0.21	ELL counted in the At Risk Count
Maine	Weighting	0.3 - 0.6	Weight dependent on number of ELLs
Maryland (FY 2008)	Weighting (flat)	0.99*0.5(\$3,314)	State share of LEP Funding amount = (Annual per-pupil foundation amount(\$6,694) *LEP factor (0.99)) *0.5
Massachusetts	Other (Resource)		<p>Based upon the pupil-specific information submitted by each school district to the Massachusetts Department of Elementary and Secondary Education, a student is classified as being in one of the following categories, which appear in columns 1 through 10 of the report.</p> <p>column description</p> <p>1 regular education or special education pre-kindergarten  2 regular or special education half-day kindergarten  3 regular or special education full-day kindergarten  4 regular or special education elementary (grades 1-5)  5 regular or special education junior high/middle (grades 6-8)  6 regular or special education senior high</p>

			<p>(grades 9-13)  7 limited English pre-kindergarten  8 limited English half-day kindergarten  9 limited English (grades 1-12)  10 vocational education (grades 9-12)<sup>3</sup> In determining a district's foundation budget, its headcount in each of the above categories is multiplied by a cost rate, which is set by statute and reflects annual inflation. In addition, there are three cost increment categories that are intended to reflect the additional resources needed to educate special education and low income students.</p>
Michigan (FY2007)	Flat Grant	<p>\$2,800,000  Appropriations (41,842 ELLs)  \$66.92/ELL</p>	Bilingual Education
Minnesota (FY2004)	Other	<p>Basic State LEP Revenue:  Either  \$700 X current year eligible LEP ADM  Or  \$700 X .77 X current year eligible LEP ADM  + \$700 X .23 X previous year eligible LEP ADM  (If AMC LEP ADM served is greater than 0 but less than 20, 20 is used in the calculations. Therefore the minimum amount of state basic LEP revenue possible is \$14,000. If the current year count is zero, the district does not qualify for revenue. )</p> <p>LEP Concentration Revenue:  The LEP concentration factor equals the lesser of 1 or the ratio of district's LEP concentration percent to 11.5%. In</p>	<p>Beginning in FY 2004, LEP funding is limited to students who:  1. have generated fewer than 5 years average daily membership (ADM) between July 1, 1996 and the beginning of the current school year in Minnesota public schools, and 2. are served in a program for LEP students during the current fiscal year. 3. in grades 4-12 were enrolled in a Minnesota public school during the dates in the previous school year when the Test of Emerging Academic English (TEAE) was administered and scored below the state cutoff score on the TEAE during the previous year.</p>

		<p>other words, if a district has 11.5% LEP students or greater, that district will receive \$250 in LEP Concentration Revenue for each qualified LEP student. If a district has less than 11.5% LEP students, that district will receive a proportionally lower amount than \$250 per student.</p>	
Mississippi	NONE	NONE	
Missouri	Weighting	0.6	
Montana	NONE	NONE	
Nebraska (FY2007-08)	Weighting	Lesser amount: ELL expenses or 0.25	Lesser of two amounts
Nevada	NONE	NONE	
New Hampshire	Flat Grant	\$1,000	If Local Eval PP & MFI < State Ave X & Receive 200 minutes of English instruction per week
New Jersey (FY2008-09)	Weighting	0.5	
New Mexico (FY2007-08)	Weighting	0.5	
New York (FY2007-08)	Weighting	0.152	
North Carolina	Resource based formula	Base of a teacher asst. (min \$25,820) + Remainder based on 50% number of funded ELL & 50% on LEA concentration of ELL	20 or more ELL
North Dakota (FY2009)	Weighting	0.02	
Ohio (FY 2008 & 2009)	Weighting	0.125 – 0.25	<p>1. Amount per LEP Student:  a. If PI (Poverty Index) <math>\geq 1</math> and <math>&lt; 1.75</math>,  <math>\{ .125 + [.125 \times ((PI - 1.0) \div .75)] \} \times</math> current year formula amount  b. If PI (Poverty Index) <math>\geq 1.75</math>  <math>.25 \times</math> current year formula amount  2. LEP aid: amount per LEP student <math>\times</math> number of LEP students in district <math>\times</math> Phase in percentage Where: phase in percentage = 70 percent in FY08 and FY09</p>

Oklahoma (FY2008)	Weighting	0.25	
Oregon (FY2008)	Weighting	0.50	
Pennsylvania	Weighting		English language learner supplement: (a) the base cost per student multiplied by (b) its number of students identified as limited English proficient in the 2006-2007 school year multiplied by (c) the sum of 3.753 and the natural logarithm of its 2006-2007 adjusted average daily membership multiplied by -0.23, provided that such amount shall be no less than 1.48 and no greater than 2.43.
Rhode Island	Other	\$31,715,459 For 7,904 ELL Students in 2006	The RI General Assembly established a student language assistance investment fund in the late 1990s (Rhode Island Education Law 16-7.1-9). This fund targets state resources to assist students who require additional language educational services. A sum is annually appropriated and distributed based on each district's proportion of limited English proficiency students statewide. we would take the district's ELL total over the state ELL total. That % would be applied to the \$31.7M total. (HISTORICAL = It looks like there are two historic appropriated amounts one was an LEP \$900,000 plus absorbed into the base in 1997 and in 2006 with the language assistance at \$31 million, which is consistent with the governor's projected budget amount for language assistance.)
South Carolina (FY2008)	NONE	NONE	
South Dakota	NONE	NONE	
Tennessee (FY2007)	Resource Based	70% of 1 ELL Instructor per 30 ELLs & 70% of 1 ELL Translator per 300 ELLs	
Texas (FY2009)	Weighting	0.10	BI/ESL ADA * .10 * Adjusted allotment
Utah (FY2009)	Other	Appropriations for creating ELL Family Literacy Centers \$3 M in FY-08-09 & \$2 M ongoing appropriation.	In process of making a rule but not finalized
Vermont (FY2008)	*Pupil Weighting	0.20	* Affects the (tax) funding formula side and does not change total allocation (not a cost

			model)
Virginia (FY2008)	Resource	((Seventeen teachers per 1,000 ESL students x Average salary and fringe benefits) X (1 - Composite Index)) = State Share	State funds are provided to support local school divisions providing the necessary educational services to children not having English as their primary language. The funding supports the salary and benefits cost of instructional positions at a standard of 17 positions per 1,000 ESL students.
Washington (FY2008 & FY2009)	Flat Grant	\$854.52 FY 2008 & \$904.37 FY 2009	A student's program eligibility ends whenever the student scores above the 35th percentile in reading and language arts. A student cannot stay in a bilingual program more than three school years unless English language skills remain below the 35th percentile.
West Virginia (FY2008)	NONE	NONE	
Wisconsin (FY2007)	Other (Expenditure Driven)	\$250,000 K-12 \$100,000 3-5 yr olds	Current law earmarks \$250,000 as a first draw from the bilingual-bicultural education aids appropriation, to be divided proportionately based on reported costs, among school districts whose enrollments in the previous school year were at least 15% LEP pupils. In certain cases, school districts are required by state law to provide special classes to pupils of limited-English proficiency (LEP). These classes are required at schools that enroll 10 or more LEP pupils in a language group in grades K-3, or 20 or more in grades 4-8 or 9-12.
Wyoming (FY 2008)	Resource Based	1 FTE teacher position for every 100 ELL students at-risk students receive on FTE (full time equivalent teacher) tutor for every 100 at-risk students. If tutor resources generated by the at-risk unduplicated count do not meet 1 tutor for each 288 elementary level ADM, 315 middle school level ADM, or 315 high school level ADM, then the model will provide, pro rata, at least these minimum	At-risk students based on their unduplicated count of ELL students, free and reduced lunch students, and mobile students (those who entered the district after 10/1)

		tutor FTEs. In addition, the block grant model provides 1 tutor FTE per 100 at-risk students.	
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**Table B. Unique Languages by LEP Size Categories 2007 - 08**

<b>LEP Size Categories</b>		
<b>1 – 15</b>	<b>16 – 249</b>	<b>250+</b>
Afro-Asiatic (Other)	Albanian	Acoli
Amharic	American Sign Language	Afro-Asiatic (Other)
Arabic	Amharic	Albanian
Armenian	Arabic	American Sign Language
Chinook jargon	Aramaic (Official, Imperial)	Amharic
Creoles and Pidgins, English	Armenian	Arabic
Creoles and Pidgins, French	Bengali	Bambara
Creoles and Pidgins, Portugues	Bulgarian	Bengali
Czech	Burmese	Bulgarian
Danish	Chinese	Chinese
English	Cree	Creoles and Pidgins,
Estonian	Creoles and Pidgins, English	English
Faroese	Creoles and Pidgins, French	Dinka
Greek, Modern (1453- )	Danish	English
Hindi	English	Ethiopic
Icelandic	Estonian	Faroese
Indonesian	Ethiopic	French
Italian	Faroese	Ganda
Lao	French	German
Mandingo	Georgian	Hindi
Micmac	German	Icelandic
Nepali	Greek, Modern (1453- )	Japanese
Norwegian	Gujarati	Khmer
Portuguese	Hebrew	Kinyarwanda
Pushto	Hindi	Korean
Romanian	Hungarian	Kurdish
Russian	Indonesian	Kusaie
Spanish	Iranian (Other)	Lingala
Swahili	Italian	Luo (Kenya and
Tahitian	Japanese	Tanzania)
Turkish	Javanese	Niuean
Undetermined/Miscellaneous	Kannada	Nyanja
Urdu	Kazakh	Persian
	Khmer	Polish
	Kinyarwanda	Portuguese
	Korean	Pushto
	Kurdish	Romanian
	Lao	Russian
	Latvian	Salishan languages
	Malayalam	Serbo-Croatian
	Maliseet	(Roman)
	Marathi	Somali
	Mon-Khmer (Other)	Spanish
	Nepali	

	Norwegian Panjabi Passamaquoddy Persian Polish Portuguese Pushto Romanian Russian Samoan Serbo-Croatian (Cyrillic) Serbo-Croatian (Roman) Shona Somali Spanish Sundanese Swahili Tagalog Telugu Thai Tigrinya Turkish Ukrainian Undetermined/Miscellaneous Urdu Vietnamese	Sundanese Swahili Tagalog Thai Tigrinya Ukrainian Undetermined Urdu Uzbek Vietnamese
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**Table C. SAUs with Enrollment and Expenditure Data for 2007-08**

<b>School Administrative Unit:</b>	<b>Total LEP Students 2007-08</b>	<b>Per Pupil Total LEP Expenditure 2007-08</b>
Appleton School Department	2.00	\$6,347
Auburn School Department	150.00	\$1,453
Augusta Public Schools	55.00	\$3,213
Bangor School Department	56.00	\$2,326
Biddeford School Department	37.00	\$3,532
Brewer School Department	1.00	\$245
Brunswick School Department	60.00	\$1,800
Bucksport School Department	4.00	\$4,669
Cape Elizabeth School Department	15.00	\$4,537
Caribou School Department	29.00	\$2,064
China School Department	2.00	\$9,561
Falmouth School Department	29.00	\$4,681
Flanders Bay CSD	3.00	\$101
Freeport School Department	17.00	\$2,496
Gorham School Department	8.00	\$9,235
Hope School Department	1.00	\$9,045
Indian Island	2.00	\$37,537
Indian Township	122.00	\$1,440
Jay School Department	2.00	\$2,171
Lewiston School Department	593.00	\$2,403
Madawaska School Department	82.00	\$437
Manchester School Department	2.00	\$2,610
Maranacook CSD	6.00	\$385
Millinocket School Department	3.00	\$341
MSAD 04	1.00	\$1,920
MSAD 05	7.00	\$127
MSAD 06	17.00	\$2,068
MSAD 09	4.00	\$3,392
MSAD 15	12.00	\$4,938
MSAD 16	8.00	\$1,685
MSAD 17	4.00	\$3,117
MSAD 21	2.00	\$1,575
MSAD 33	101.00	\$260
MSAD 34	3.00	\$2,403
MSAD 35	8.00	\$6,162
MSAD 37	36.00	\$1,619
MSAD 43	15.00	\$4,109
MSAD 47	1.00	\$1,534
MSAD 48	13.00	\$254
MSAD 50	7.00	\$3,657
MSAD 51	11.00	\$1,716
MSAD 52	30.00	\$4,650
MSAD 55	9.00	\$3,636
MSAD 56	1.00	\$3,847
MSAD 57	9.00	\$25

MSAD 58	7.00	\$2,889
MSAD 60	34.00	\$1,556
MSAD 68	2.00	\$4,893
MSAD 71	27.00	\$1,940
MSAD 75	23.00	\$3,466
Oak Hill CSD	1.00	\$2,156
Old Orchard Beach School Dept	4.00	\$11,564
Old Town School Department	6.00	\$8,226
Orono	11.00	\$2,587
Peninsula CSD	3.00	\$5,044
Pleasant Point	89.00	\$851
Portland Public Schools	1,490.00	\$2,583
Saco School Department	23.00	\$3,269
Sanford School Department	102.00	\$2
Scarborough School Department	56.00	\$3,392
South Bristol School Department	3.00	\$2,699
South Portland School Department	141.00	\$2,885
Vassalboro School Department	2.00	\$10,179
Waterville Public Schools	15.00	\$5,416
Wells-Ogunquit CSD	21.00	\$1,986
Westbrook School Department	65.00	\$2,713
Windham School Department	16.00	\$9,183
Yarmouth Schools	3.00	\$5,469

**Table D. SAUs with Reported LEP Enrollment and No Reported LEP Expenditure, 2007 -08**

<b>LEP size Categories 2007 - 08</b>	<b>Attending SAU Name</b>	<b>Total SAU LEP Students 2007-08</b>	<b>Total SAU Unique Languages</b>
1 - 15	Alexander School Department	1.00	1.00
	Baileyville School Department	3.00	1.00
	Bar Harbor School Department	6.00	4.00
	Bath School Department	7.00	4.00
	Brooklin School Department	1.00	1.00
	Calais School Department	7.00	2.00
	Caswell School Department	2.00	1.00
	Easton School Department	2.00	2.00
	Eastport School Department	3.00	1.00
	Ellsworth School Department	10.00	8.00
	Georgetown School Department	1.00	1.00
	Islesboro School Department	2.00	2.00
	Lisbon School Department	2.00	1.00
	Monmouth School Department	1.00	1.00
	Mount Desert School Department	1.00	1.00
	Palermo School Department	1.00	1.00
	Poland School Department	7.00	6.00
	Rangeley School Department	2.00	2.00
	Richmond School Department	2.00	2.00
	Tremont School Department	1.00	1.00
	Trenton School Department	3.00	3.00
	West Bath School Department	1.00	1.00
	Winslow Schools	15.00	5.00
	Woolwich School Department	3.00	2.00
	York School Department	7.00	2.00
	MSAD 01	6.00	5.00
	MSAD 03	2.00	1.00
	MSAD 11	5.00	5.00
	MSAD 14	2.00	1.00
	MSAD 20	1.00	1.00
	MSAD 27	3.00	1.00
	MSAD 28	6.00	3.00
	MSAD 29	3.00	2.00
	MSAD 36	3.00	1.00
	MSAD 44	1.00	1.00
	MSAD 53	1.00	1.00
MSAD 59	2.00	1.00	
MSAD 61	5.00	5.00	
MSAD 64	1.00	1.00	

	MSAD 72	7.00	6.00
	Education in Unorganized Terr	1.00	1.00
	Boothbay-Boothbay Hbr CSD	5.00	2.00
	Mt Desert CSD	1.00	1.00
	Schoodic CSD	3.00	2.00
	Great Salt Bay CSD	4.00	3.00
	Five Town CSD	9.00	8.00
	ME Sch of Science & Mathematics	1.00	1.00
	ME Educational Ctr for the Deaf & Hard of Hearing	2.00	1.00
	Mountain View Youth Dev Ctr	1.00	1.00
	Gould Academy	2.00	1.00
	George Stevens Academy	12.00	7.00
	Erskine Academy	3.00	3.00
	Washington Academy	8.00	2.00
	Fryeburg Academy	2.00	2.00
	Lee Academy	4.00	1.00
	Lincoln Academy	2.00	2.00
	Waynflete School	9.00	6.00
	Thornton Academy	9.00	7.00
	Gr Portland Christian School	2.00	2.00
	North Yarmouth Academy	1.00	1.00
	Non-Maine SAU	1.00	1.00
	N =61	221	
16 - 250	MSAD 24	100.00	2.00
	MSAD 54	20.00	3.00
	N=2	120	
All	N=63	341	

**Table E. SAUs with Reported LEP Expenditure and No Reported LEP Students, 2007 -08**

SAU Name	Total SAU Elementary LEP Expenditure 2007-08	Total SAU Secondary LEP Expenditure 2007-08	Total SAU LEP Expenditure 2007-08
Kittery School Department	\$27,170	\$0	\$27,170
Orland School Department	\$2,504	\$0	\$2,504
Readfield School Department	\$660	\$0	\$660
MSAD 67	\$0	\$2,946	\$2,946
Deer Isle-Stonington CSD	\$1,461	\$0	\$1,461
N=5	\$31,796	\$2,946	\$34,741

**Table F. School Administrative Units in 2008 - 09 Analysis sorted by 0708 Pupils within LEP Size Category**

School Administrative Unit	LEP Size Category	LEP Pupils 0607	LEP per pupil Expenditure 0607	LEP Pupils 0708	LEP per pupil Expenditure 0708
Hope School Department	1	1	\$10,668	1	\$9,045
MSAD 56	1	1	\$20,215	1	\$3,847
Oak Hill CSD	1	2	\$17,061	1	\$2,156
MSAD 47	1	5	\$302	1	\$1,534
Appleton School Department	1	2	\$6,774	2	\$6,347
MSAD 68	1	3	\$5,139	2	\$4,893
Flanders Bay CSD	1	3	\$540	3	\$101
MSAD 34	1	3	\$3,733	3	\$2,403
Yarmouth Schools	1	3	\$5,552	3	\$5,469
Millinocket School Department	1	4	\$1,889	3	\$341
Peninsula CSD	1	4	\$5,371	3	\$5,044
South Bristol School Department	1	4	\$2,056	3	\$2,699
Bucksport School Department	1	1	\$10,229	4	\$4,669
MSAD 17	1	3	\$5,343	4	\$3,117
Old Town School Department	1	6	\$8,058	6	\$8,226
MSAD 50	1	7	\$2,929	7	\$3,657
MSAD 58	1	7	\$8,274	7	\$2,889
MSAD 16	1	3	\$1,757	8	\$1,685
Gorham School Department	1	7	\$7,573	8	\$9,235
MSAD 35	1	7	\$5,677	8	\$6,162
MSAD 55	1	8	\$4,833	9	\$3,636
MSAD 57	1	12	\$2,386	9	\$25
MSAD 51	1	2	\$9,750	11	\$1,716
Orono	1	7	\$2,858	11	\$2,587
MSAD 15	1	10	\$5,902	12	\$4,938
MSAD 48	1	8	\$1,479	13	\$254
Cape Elizabeth School Department	1	15	\$2,267	15	\$4,537
Windham School Department	1	14	\$10,936	16	\$9,183
Waterville Public Schools	2	23	\$3,299	15	\$5,416
Freeport School Department	2	15	\$3,513	17	\$2,496
MSAD 06	2	19	\$3,248	17	\$2,068
Wells-Ogunquit CSD	2	13	\$2,452	21	\$1,986
MSAD 75	2	25	\$4,315	23	\$3,466
Saco School Department	2	29	\$2,531	23	\$3,269
Caribou School Department	2	28	\$2,112	29	\$2,064
MSAD 52	2	30	\$4,085	30	\$4,650
MSAD 60	2	32	\$1,584	34	\$1,556
MSAD 37	2	33	\$1,195	36	\$1,619

Biddeford School Department	2	42	\$2,880	37	\$3,532
Augusta Public Schools	2	38	\$5,029	55	\$3,213
Bangor School Department	2	39	\$2,709	56	\$2,326
Scarborough School Department	2	57	\$3,527	56	\$3,392
Brunswick School Department	2	53	\$1,593	60	\$1,800
Westbrook School Department	2	65	\$4,979	65	\$2,713
Madawaska School Department	2	79	\$6,342	82	\$437
Sanford School Department	2	112	\$2,360	102	\$2
South Portland School Department	2	98	\$3,619	141	\$2,885
Auburn School Department	2	113	\$3,779	150	\$1,453
Lewiston School Department	3	598	\$1,634	593	\$2,403
Portland Public Schools	3	1481	\$2,251	1490	\$2,583